

FILED

MAY 23 2017

CLERK, U.S. DISTRICT CLERK  
WESTERN DISTRICT OF TEXAS  
BY EL DEPUTY

## UNITED STATES DISTRICT COURT

for the  
Western District of Texas

United States of America

v.

Case No.

EP-17-mj-1931-RFC

Juan Martinez  
a.k.a. Juan Martinez-Santiesteban*Defendant(s)*

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of May 22, 2017 in the county of El Paso in the  
Western District of Texas, the defendant(s) violated:*Code Section**Offense Description*

8 U.S.C. 1326(a)

an alien, who had previously been excluded, deported, and removed from the United States on or about June 9, 2006, attempted to enter, the United States, without having previously received consent to reapply for admission from the Attorney General of the United States and the Secretary of Homeland Security, the successor pursuant to Title 6, United States Code, Sections 202(3), 202(4) and 557.

This criminal complaint is based on these facts:

☒ Continued on the attached sheet.*Complainant's signature*

Manuel Mendiola

*Customs and Border Protection Enforcement Officer*

Sworn to before me and signed in my presence.

Date: May 23, 2017City and state: El Paso, Texas*Judge's signature*

Robert F. Castaneda

*United States Magistrate Judge*

## **FACTS**

That on or about May 22, 2017, the DEFENDANT, Juan MARTINEZ a.k.a Juan Martinez-Santiesteban, a native and citizen of Mexico, attempted to enter the United States via vehicular primary at the Bridge of the Americas port of entry in El Paso, Texas. The DEFENDANT presented his duly issued form I-551 Permanent Resident Card, bearing his name and photograph, to Customs and Border Protection Officer (CBPO) Caron Meloche. Officer Meloche conducted a routine database query of the document presented by the DEFENDANT and received a positive alert. Officer Meloche asked the DEFENDANT where he was coming from and where he was traveling to. The DEFENDANT stated he was coming from Juarez, Mexico and was traveling to El Paso, Texas to his daughter's home. Officer Meloche did not admit the DEFENDANT but rather escorted him to Passport Control Secondary (PCS).

In PCS, the DEFENDANT admitted he is a citizen and national of Mexico. Database records revealed the DEFENDANT was previously removed from the U.S. on or about June 9, 2006. At this point, CBP Enforcement Officer Sandra Lopez served the DEFENDANT form I-214 Warning as to Rights (Spanish version) which he read and signed and waived his right to an attorney. At approximately 1940 hours the DEFENDANT requested an attorney to be present and all questioning ceased.

Further Immigration record checks indicate that the DEFENDANT has not applied for, nor received permission from the Attorney General or the Secretary of Homeland Security to reapply for admission into the United States.

Because this Affidavit is being submitted for the limited purpose of establishing probable cause as set forth herein, I have not included each and every fact known to me concerning this investigation.

## **CRIMINAL AND IMMIGRATION RECORD**

### **CRIMINAL RECORD**

04/13/1990 - Possession of a Controlled Substance – Los Angeles, CA – 16 Months Prison  
04/08/2006 – DUI Alcohol/Hit and Run Property Damage – Los Angeles, CA - 90 Days Jail/36 Months Probation  
04/30/2007 – DUI Alcohol – Los Angeles, CA – Disposition Unknown

### **IMMIGRATION RECORD**

The DEFENDANT was removed from the United States to Mexico on or about 06/09/2006.  
The DEFENDANT was removed from the United States to Mexico on or about 06/03/1992.